

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

WESLEY and BARBARA STREIT,)	
)	
Plaintiff,)	
)	
v.)	No. 15-cv-2461
)	
METROPOLITAN CASUALTY)	Judge Sharon J. Coleman
INSURANCE COMPANY,)	
)	
Defendant.)	

FINAL JUDGMENT ORDER

This matter coming before the Court on the Stipulation of the parties, final judgment is entered and ordered as follows:

1. On November 4, 2015, this Court granted in part and denied in part the Streit's motion for partial summary judgment and denied Metropolitan's motion for partial summary judgment. The Court adopts and incorporates its Memorandum Opinion and Order [D.E. 19] as though fully set forth herein. The Court's November 4, 2015, order left undecided the issues of damages and whether the Streits were innocent of any wrongdoing associated with the August 5, 2014 fire.

2. On May 27, 2016, this Court denied Metropolitan's Motion to Reconsider its November 4, 2015 ruling, and denied the Streit's Motion for Judgment on the Pleadings. The Court adopts and incorporates its Memorandum Opinion and Order [D.E. 42] as though fully set forth herein.

3. Upon the stipulation of the parties, the Court finds and declares that the Streits are innocent of any wrongdoing associated with the August 5, 2014 fire to their Lake in the Hills,

Illinois residence. The Streits did not set the fire. Nor did they direct, authorize, instruct, or consent to their son, Wesley, Jr., setting the fire.

4. Judgment is entered in favor of the Streits and against Metropolitan on Count I of the Complaint and on Metropolitan's affirmative defense.

5. Judgement is entered in favor of the Streits and against Metropolitan on Count II of the Complaint in the amount of \$235,000.00.

6. Count III of the Complaint is dismissed, with prejudice.

7. The Streits waive any claim of prejudgment interest and costs.


8. In the event Metropolitan pays the mortgagee claim submitted by Nationstar Mortgage, then Metropolitan will be entitled to a set-off against the \$235,000 judgment, to the extent of its payment.

9. If the mortgagee claim is paid, then Metropolitan will release any assignment it takes to the extent of such payment if Metropolitan appeals this judgment order and it is affirmed.

10. All future dates are stricken and any and all outstanding matters are dismissed, with prejudice.

Dated: July 28, 2016

ENTERED:

A handwritten signature in black ink, appearing to read "Sharon Johnson Coleman", written over a horizontal line.

Sharon Johnson Coleman
United States District Court Judge